

US EPA ARCHIVE DOCUMENT

Dated: March 27, 1986.

Approved:

John Lehman,

Secretary of the Navy.

[FR Doc. 7819 Filed 4-8-86; 8:45 a.m.]

BILLING CODE 3810-AE-M

## 32 CFR Part 706

### Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972; Amendment; USS WILLIAM H. STANDLEY

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Final rule.

**SUMMARY:** The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Secretary of the Navy has determined that USS WILLIAM H. STANDLEY (CG 32) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with 72 COLREGS without interfering with its special function as a naval cruiser. The intended effect of this

rule is to warn mariners in waters where 72 COLREGS apply.

**EFFECTIVE DATE:** April 9, 1986.

#### FOR FURTHER INFORMATION CONTACT:

Captain Richard J. McCarthy, JAGC, U.S. Navy Admiralty Counsel, Office of the Judge Advocate General Navy Department, 200 Stovall Street, Alexandria, VA 22332-2400. Telephone number: (202) 325-9744.

#### SUPPLEMENTARY INFORMATION:

Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the Secretary of the Navy has certified that USS WILLIAM H. STANDLEY (CG 32) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with 72 COLREGS: Annex I, section 3(a), pertaining to the location of the forward masthead light in the forward quarter of this ship, and Annex I, section 3(a), pertaining to the horizontal distance between the forward and aft masthead lights. Full compliance with the above-mentioned 72 COLREGS provisions would interfere with the special functions and purposes of the vessel. The Secretary of the Navy has

also certified that the above-mentioned lights are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

#### List of Subjects in 32 CFR Part 706

Marine safety, Navigation (Water), Vessels.

#### PART 706—[AMENDED]

Accordingly, 32 CFR Part 706 is amended as follows:

1. The authority citation for 32 CFR Part 706 continues to read:

Authority: 33 U.S.C. 1605.

#### § 706.2 [Amended]

1. Table Five of § 706.2 is amended by adding the following vessel:

Vessel	Number	Forward masthead light less than the required height above hull. Annex I, sec. 2(a)(i)	Aft masthead light less than 4.5 meters above forward masthead light. Annex I, sec. 2(a)(ii)	Masthead lights not over all other lights and obstructions. Annex I, sec. 2(f)	Vertical separation of masthead lights used when towing less than required by Annex I, sec. 2(a)(i)	Aft masthead lights not visible over forward light 1,000 meters ahead of ship in all normal degrees of trim. Annex I, sec. 2(b)	Forward masthead light not in forward quarter of ship. Annex I, sec. 3(a)	Aft masthead light less than 1/4 ship's length aft of forward masthead light. Annex I, sec. 3(a)	Percentage horizontal separation attained
USS WILLIAM H. STANDLEY	CG 32						X	X	31

Dated: March 27, 1986.

Approved:

John Lehman,

Secretary of the Navy.

[FR Doc. 86-7820 Filed 4-8-86; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 60 and 61

[A-3-FRL 2997-4; Docket No. AM703DE]

### New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants Delegation of Authority to the State of Delaware Department of Natural Resources and Environmental Control

**AGENCY:** Environmental Protection Agency

**ACTION:** Delegation of Authority.

**SUMMARY:** Sections 111(c) and 112(d) of the Clean Air Act permit EPA to delegate to the States the authority to implement and enforce the standards set out in 40 CFR Part 60, Standards of Performance for New Stationary Sources (NSPS) and 40 CFR Part 61, National Emission Standards for Hazardous Air Pollutants (NESHAP).

On December 12, 1985, the State of Delaware Department of Natural Resources and Environmental Control (DNREC) requested delegation of authority for additional NSPS and NESHAP source categories. EPA granted the request on January 8, 1986. The State now has the authority to implement and enforce NSPS regulations for Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels constructed after 8/7/83, Surface Coating of Metal Furniture, Equipment Leaks of VOC at Petroleum Refineries, Flexible Vinyl and Urethane Coating and Printing, Secondary Brass and Bronze Production

Plants, and Petroleum Dry Cleaners and revisions to the NSPS Regulations for Equipment Leaks of VOC at Synthetic Organic Chemical Manufacturing Industry and Steel Plants; Electric Arc Furnaces constructed between October 21, 1974 and August 17, 1983. They also are delegated the authority to implement and enforce the NESHAP Regulation for Asbestos.

**EFFECTIVE DATE:** April 9, 1986.

**ADDRESSES:** Applications and reports required for all NSPS and NESHAP source categories listed above should be addressed to the State of Delaware, Department of Natural Resources and Environmental Control, 89 Kings Highway, P.O. Box 1401, Dover, Delaware 19901, in addition to EPA, Region III.

Copies of the delegation and accompanying documents are available for inspection during normal business

hours at the Delaware DNREC address given above or at the following office:

U.S. Environmental Protection Agency,  
Region III, 841 Chestnut Building,  
Philadelphia, Pennsylvania 19107,  
ATTN: Patricia Gaughan (3AM11).  
Telephone: (215) 597-8239.

**FOR FURTHER INFORMATION CONTACT:** Michael Giuranna of EPA, Region III, Air Programs Branch, at (215) 597-9189.

**SUPPLEMENTARY INFORMATION:** The Delaware Department of Natural Resources and Environmental Control (DNREC) was delegated the authority to enforce the New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) promulgated by EPA in a *Federal Register* dated February 15, 1978 (43 FR 6771). They also requested and were delegated authority for several other NSPS and HESHAP source categories which EPA published notification at (44 FR 70465, 1979), (46 FR 28402, 1981), (47 FR 17989, 1982), and (50 FR 8323, 1985).

Delegation of the additional standards was made by the following letter on January 8, 1986:

Mr. Robert R. French,  
*Manager, Air Resources Section, Delaware  
Department of Natural Resources and  
Environmental Control, P.O. Box 1401,  
Dover, Delaware 19901*

Dear Mr. French: This is in response to your letter of December 12, 1985, requesting delegation of authority for the Delaware Department of Natural Resources and Environmental Control (Department) to enforce New Source Performance Standards (NSPS) for six additional source categories, revisions to the NSPS for two other source categories, and one additional National Emission Standards for Hazardous Air Pollutants (NESHAP) category. This supersedes my letter of January 8, 1986.

We have reviewed the pertinent laws, rules and regulations of the State of Delaware and have determined that they continue to provide an adequate and effective procedure for implementing and enforcing the NSPS and NESHAP. Therefore, we hereby delegate the authority for the implementation and enforcement of the NSPS and NESHAP regulations to the Department as follows:

Authority for all sources located or to be located in the State of Delaware subject to the Standards of Performance for New Stationary Sources for Electric Arc Furnaces and Argon Oxygen Decarburization Vessels constructed after August 7, 1983 (AAa), Surface Coating of Metal Furniture (EE), Equipment Leaks of VOC at Petroleum Refineries (GGG), Flexible Vinyl and Urethane Coating and Printing (FFF), Secondary Brass and Bronze Production Plants (M) and Petroleum Dry Cleaners (JJJ), for revisions to the NSPS for Equipment Leaks of VOC in the Synthetic Organic Chemical Manufacturing Industry (VV) and Steel Plants, Electric Arc Furnaces constructed between October 21, 1974 and

August 17, 1983 (AA), and for NESHAP for Asbestos (M).

This delegation is based upon the conditions given in our April 15, 1982 letter to you which delegated two additional NSPS and NESHAP source categories to the Department. Also, the non-delegable provisions of the NSPS and NESHAP regulations mentioned in my July 2, 1985 letter, apply to this and all future delegations.

If you need any further information feel free to contact Michael Giuranna, NSPS/NESHAP Delegation Coordinator, at (215) 597-9189.

Sincerely,

W. Ray Cunningham,  
*Director Air Management Division.*

Effective immediately, all applications, reports, and other correspondence required under the NSPS for Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels in Steel Plants constructed after August 7, 1983 (AAa), Surface Coating of Metal Furniture (EE), Equipment Leaks of VOC at Petroleum Refineries (GGG), Flexible Vinyl and Urethane Coating and Printing (FFF), Secondary Brass and Bronze Production Plants (M), and Petroleum Dry Cleaners (JJJ) and under NESHAP for Asbestos (M) should be sent to the Delaware Department of Natural Resources and Environmental Control (address above) in addition to EPA, Region III in Philadelphia (attention: Air Management Division (3AM00)).

The Office of Management and Budget has exempted this delegation of authority from the requirements of Section 3 of Executive Order 12291.

**Authority:** Section 111(c) and 112(d), Clean Air Act (42 U.S.C.) 7411(c) and 7412(d).

**Dated:** February 24, 1986.

Stanley L. Laskowski,  
*Acting Regional Administrator.*

[FR Doc. 86-7474 Filed 4-8-86; 8:45 am]  
**BILLING CODE 6560-50-M**

#### 40 CFR Part 180

[PP 2F2709/R829; FRL-2998-8]

#### Pesticide Tolerances for Fluridone

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** This rule establishes tolerances for the combined residues of the herbicide fluridone and its metabolite in edible fish and various raw agricultural commodities. This regulation to establish maximum permissible levels for residues of fluridone in these commodities was requested by the Elanco Products Co.  
**EFFECTIVE DATE:** Effective on April 9, 1986.

**ADDRESS:** Written objections, identified by the document control number [PP 2F2709/R829], may be submitted to the: Hearing Clerk (A-110), Environmental Protection Agency, 401 M Street., SW., Washington, DC 20460.

#### FOR FURTHER INFORMATION CONTACT:

Richard F. Mountfort, Product Manager (PM-23), Registration Division (TS-767C), Environmental Protection Agency, 401 M Street., SW., Washington, DC 20460.

Office location and telephone number: Room 237, CM #2, 1921 Jefferson Davis Highway, Arlington, VA, (703) 557-1830.

**SUPPLEMENTARY INFORMATION:** EPA issued a proposed rule, published in the *Federal Register* of February 20, 1986 (51 FR 6136), that Elanco Products Co., Division of Eli Lilly and Co., 740 South Alabama St., Indianapolis, IN 46285, had filed pesticide petition 2F2709 to EPA. This petition proposed to amend 40 CFR Part 180 by establishing a tolerance for the combined residues of the herbicide fluridone [1-methyl-3-phenyl-5-[3-(trifluoromethyl)phenyl]-4(1H)-pyridinone] and its metabolite [1-methyl-3-(4-hydroxyphenyl)-5-[3-(trifluoromethyl)phenyl]-4(1H)-pyridinone] in the commodities fish at 0.5 part per million (ppm); eggs, fat, meat, and meat byproducts (except liver and kidney) of cattle, goats, hogs, horses, poultry, sheep, and milk at 0.05 ppm; liver and kidney of cattle, goats, hogs, horses, poultry, and sheep at 0.1 ppm; and the irrigated commodities avocados, citrus, cottonseed, cucurbits, fruiting vegetables, grain crops, hops, leafy vegetables, nuts, pome fruit, root crop vegetables, seed and pod vegetables, small fruit, and stone fruit at 0.1 ppm and forage grasses and legumes at 0.15 ppm.

There were 36 comments received in response to the proposal. All supported the proposal. Responding to EPA's invitation to comment on the intent to issue registrations, 24 comments supported that decision, but objected to the Agency's stated intent that private applications be limited to use of fluridone only in small bodies of water with little or no outflow and totally under control of the user and that use of fluridone in other aquatic sites would be through programs of Federal, State, or local public agencies or contractors or licensees under their direct control (see page 6138 of the proposal (51 FR 6138)).

One comment objected to the Agency's stated intent that labeling must specify that users consult their State fish and game agency or the U.S. Fish and Wildlife Service before making